

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

JOHN R. STOVER	:	
Plaintiff	:	CIVIL ACTION NO. 3:17-1840
v.	:	(JUDGE MANNION)
ANDREW M. SAUL¹	:	
Defendant	:	

ORDER

Presently before the court is the report and recommendation of Magistrate Judge Gerald B. Cohn (“Report”), which recommends that the decision of the Commissioner of Social Security (“Commissioner”) denying the plaintiff John R. Stover’s (“Stover”) claim for Disability Insurance Benefits (“DIB”) be affirmed. ([Doc. 20](#)). Neither party has filed objections to the Report.² Based on the court’s review of the record in this matter, Judge Cohn’s Report is adopted in its entirety and the decision of the Commissioner is affirmed.

¹ Andrew M. Saul was sworn in as Commissioner of Social Security on June 17, 2019. The court has substituted him with the previous defendant in this action under [Federal Rule of Civil Procedure 25\(d\)](#).

² Stover’s counsel filed a letter with the court indicating that he “waives the opportunity to file objections to the Report and Recommendation entered by Magistrate Judge Cohn” ([Doc. 22](#)).

When no objections are made to the report and recommendation of a magistrate judge, the court should, as a matter of good practice, “satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” [Fed.R.Civ.P. 72\(b\)](#); advisory committee notes; see *also Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F.Supp.2d 465, 469 (M.D.Pa. 2010) (citing *Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining judges should give some review to every report and recommendation)). Nevertheless, whether timely objections are made or not, the district court may accept, not accept, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. [28 U.S.C. §636\(b\)\(1\)](#); [M.D.Pa. L.R. 72.31](#).

On May 4, 2016, Stover’s application for DIB was denied by an Administrative Law Judge (“ALJ”). ([Doc. 10-2, at 8-23](#)). The ALJ’s decision became the final decision of the Commissioner. Stover appeals the decision arguing that the ALJ committed four errors. ([Doc. 13, at 14-15](#)). In his Report, Judge Cohn thoroughly addressed each of Stover’s claims and determined that the ALJ’s decision was supported by substantial evidence. ([Doc. 20, at 6-16](#)). Accordingly, Judge Cohn recommends that the decision of the Commissioner be affirmed. ([Doc. 20, at 17](#)).

The court has reviewed the entire Report of Judge Cohn and agrees with the sound reasoning that led him to his recommendation. As such, the court adopts the Report of Judge Cohn as the opinion of the court.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

- (1)** The Report of Judge Cohn ([Doc. 20](#)) is **ADOPTED IN ITS ENTIRETY**;
- (2)** The decision of the Commissioner denying Stover's claim for DIB is **AFFIRMED**; and
- (3)** The Clerk of Court is directed to **CLOSE THIS CASE**.

s/ *Malachy E. Mannion*

MALACHY E. MANNION
United States District Judge

DATE: August 29, 2019

18-1255-01